

FISCAL NOTE

HB 2077 - SB 2154

March 10, 2005

SUMMARY OF BILL: Directs the Commissioner of Environment and Conservation to issue an order of correction prior to the assessment of a civil penalty if the violation related to underground storage tanks has not negatively affected public health, safety or quality of the environment.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$606,000/Underground Storage Tank Fund

Decrease State Revenues – Exceeds \$100,000/Underground Storage Tank Fund

Other Fiscal Impact – Jeopardizes an amount of \$2,300,000 in Federal Funding/Underground Storage Tank Fund

Assumptions:

- Department of Environment and Conservation will need additional personnel and supplies for inspections and enforcement.
- Restricts the ability of the Department of Environment and Conservation to assess civil penalties which is different from federal law. It could result in the state program being less stringent than federal requirements.
- Decrease in collection of civil penalties by the Underground Storage Tank Division of the Department of Environment and Conservation.
- Federal funds are received for the Underground Storage Program Grant and for the Leaking Underground Storage Tank Trust Fund.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director